

**Introduced by Senator DeSaulnier**

February 17, 2011

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An act to amend Section 2807 of the Penal Code, relating to the Prison Industry Authority.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 608, as introduced, DeSaulnier. Prison Industry Authority: nonprofit organizations: prison-made goods.

Existing law establishes the Prison Industry Authority and authorizes it to operate industrial, agricultural, and service enterprises which will provide products and services needed by the state, or any political subdivision of the state, or by the federal government, or any department, agency, or corporation of the federal government, or for any other public use. Existing law provides that all things authorized to be produced by the authority shall be purchased by the state, and may be purchased by local governments, to offer for sale to persons residing in state-operated institutions, at the prices fixed by the authority.

Under existing law, it is unlawful for any person to sell, expose for sale, or offer for sale, any article manufactured by prison labor, except articles the sale of which is specifically sanctioned by law.

This bill would provide that all products and services provided by the authority may be offered for sale to a nonprofit organization.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2807 of the Penal Code is amended to  
2     read:

1     2807. (a) The authority is hereby authorized and empowered  
2 to operate industrial, agricultural, and service enterprises which  
3 will provide products and services needed by the state, or any  
4 political subdivision thereof, or by the federal government, or any  
5 department, agency, or corporation thereof, or for any other public  
6 use. Products may be purchased by state agencies to be offered  
7 for sale to inmates of the department and to any other person under  
8 the care of the state who resides in state-operated institutional  
9 facilities. Fresh meat may be purchased by food service operations  
10 in state-owned facilities and sold for onsite consumption.

11     (b) All things authorized to be produced under subdivision (a)  
12 shall be purchased by the state, or any agency thereof, and may  
13 be purchased by any county, city, district, or political subdivision,  
14 or any agency thereof, or by any state agency to offer for sale to  
15 persons residing in state-operated institutions, at the prices fixed  
16 by the Prison Industry Authority. State agencies shall make  
17 maximum utilization of these products, and shall consult with the  
18 staff of the authority to develop new products and adapt existing  
19 products to meet their needs.

20     (c) *All products and services provided by the authority may be*  
21 *offered for sale to a nonprofit organization.*